

**AMENDMENTS TO THE DRAWINGS:**

The attached sheets of drawings include changes to Figures 1-4. These sheets, which include the subject figures, replace the respective original sheets.

As requested by the Examiner, an appropriate arrow and line has been added to identify the location of the mixed front and cross section views of Figures 1 and 3. Further, any hidden elements have been shown with thin dashed lines as requested. Still further, an inadvertently omitted horizontal line has been added just below element 28 in Figure 4.

### **REMARKS**

Applicant has now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of April 6, 2006.

Reexamination and reconsideration are respectfully requested.

### **The Office Action**

Claims 1-4 were presented for examination.

Claims 1-3 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,907,794 in view of U.S. Patent No. 6,800,843, U.S. Patent No. 6,624,900, and Japanese Patent No. 06075118.

Claim 4 stands rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,907,794 in view of U.S. Patent No. 6,624,900.

Claims 1-3 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,504,275 issued to Nondahl et al. in view of U.S. Patent No. 6,800,843 issued to Horton, et al., U.S. Patent No. 6,624,900 issued to Eisenhower et al., and Japanese Patent No. 06075118 issued to Yamaga.

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Nondahl et al. in view of Eisenhower et al.

### **Drawing Objection**

As explained above, Replacement Sheets have been provided with the present amendment having the requested changes and corrections. No new matter has been added.

### **Art Rejections**

The Examiner rejected claims 1-3 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,907,794 in view of U.S. Patent No. 6,800,843, U.S. Patent No. 6,624,900, and Japanese Patent No. 06075118. The Examiner also rejected claim 4 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,907,794 in view of U.S. Patent No. 6,624,900. Although, in each case, the Examiner agreed that the claims are not

identical, the Examiner listed reasons in the Office Action as to why the Examiner believes that claims 1-4 are not patentably distinct from the cited combinations of patents. The Examiner noted, however, that a Terminal Disclaimer may be used to overcome a rejection based on a nonstatutory double patenting ground, provided the conflicting patent is shown to be commonly owned with the present application. The Examiner also noted that a registered attorney may sign the terminal disclaimer.

In view of the above, and because the conflicting patent is commonly owned with the present application, a Terminal Disclaimer is being filed concurrently with the present amendment. It is submitted, therefore, that independent claims 1 and 4, as amended, and dependent claims 2-3, depending from claim 1, are in condition for allowance.

In view of the Examiner's rejection of claims 1-3 as being unpatentable over Nondahl et al. in view of Horton, et al., Eisenhauer et al., and Yamaga, Applicant has amended independent claim 1 as follows. The limitation reciting a light receiving fiber has been amended to include L-shaped curved portions at each end. Support for the recitation of L-shaped curved portions is found on page 7, line 25 through page 8, line 6 of the present application. New limitations have been added reciting a shielding plate and optical high pass filters. Support for the shielding plate recitation is found on page 10, lines 6-9, and for the high pass filters on page 8, lines 7-11 and page 8, line 27 through page 9, line 5. Advantages obtained by the newly recited limitations are described throughout the remainder of the application.

Dependent claim 2 has been amended merely to correct a scanning or interpretation error resulting in a missing space in the phrase "diffusion means."

It is submitted, therefore, that independent claim 1, as amended, and claims 2-3 depending therefrom are patentably distinct over the cited references and are in condition for allowance.

In view of the Examiner's rejection of claim 4 as being unpatentable over Nondahl et al. in view of Eisenhauer et al., Applicant has amended independent claim 4 as follows. New limitations have been added reciting a shielding plate and optical high pass filters. The Examiner can find support for these limitations as previously described with reference to claim 1.

It is submitted, therefore, that independent claim 4, as amended, is patentably distinct over the cited references and is in condition for allowance.

Applicant herewith submits new claims 5 and 6. With reference to new claims 5 and 6, the Examiner can find support for the limitation reciting a rotary transformer, and the limitations found thereafter, on page 7, lines 7-19 of the present application.

**Prior Art Made of Record and not Relied Upon**

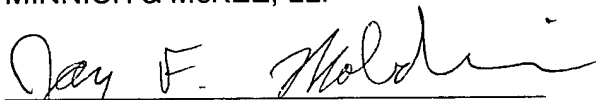
Other references considered pertinent to the applicant's disclosure and made of record, but not relied upon by the Examiner, have been reviewed by the applicant. The applicant submits that these references alone or in combination do not teach the present invention.

**CONCLUSION**

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-6) are now in condition for allowance.

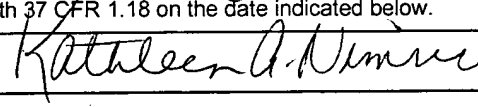
Respectfully submitted,

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July 28, 2006  
Date

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## **APPENDIX**

Replacement sheets for Figures 1- 4.